

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IVAN THOMPSON, et al.,**

**Plaintiffs,**

**v.**

**ROSS COUNTY HUMANE  
SOCIETY, et al.,**

**Defendants.**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**Case No. 2:16-cv-00929**

**JUDGE ALGENON L. MARBLEY**

**Magistrate Judge Kemp**

**ORDER**

This matter comes before the Court on Magistrate Judge Kemp's December 2, 2016 **Report and Recommendation** (Doc. 3), which recommended that Plaintiffs' complaint be dismissed without prejudice, as it was unaccompanied by a filing fee or an application to proceed *in forma pauperis*. On October 19, 2016, the Court ordered Plaintiffs to either pay the filing fee or move for leave to proceed *in forma pauperis* within fourteen days. (Doc. 2.) Plaintiffs failed to comply with the Court's order, despite the fact that it explicitly informed them that their failure to comply may result in the dismissal of this action. (*Id.*)

The Report and Recommendation specifically advised the parties that the failure to object results in a waiver of the right to have the district judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. (Doc. 3 at 2.) The parties have failed to file any objections, and the deadline for objections (December 19, 2016) has lapsed.

The Court hereby **ADOPTS** the Report and Recommendation (Doc. 3) based on the independent consideration of the analysis therein. This case is hereby **DISMISSED** without prejudice.

**IT IS SO ORDERED.**

**s/ Algenon L. Marbley**  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT JUDGE**

**DATED: February 7, 2017**